



Wilson & Dang
ATTORNEYS AT LAW

8/15/2012

Below is some high level information about DACA.

For more details information on how DACA applies to you,

Call us at: 760-304-6936 for a FREE DACA CONSULTATION

Contents

What is DACA? 1

What are the requirements for DACA?..... 2

What are the forms that I need to file? 2

When should I file my application? 3

Where do I file my DACA Applications?..... 3

Can I get a waiver for the filing fee? 3

What is DACA?

Deferred Action for Childhood Arrivals

On June 15, 2012, the Secretary of Homeland Security announced that certain people who came to the United States as children and meet several key guidelines may request consideration of deferred action for a period of two years, subject to renewal, and would then be eligible for work authorization. Deferred action is a discretionary determination to defer removal action of an individual as an act of prosecutorial discretion. Deferred action does not provide an individual with lawful status.

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What are the requirements for DACA?

You may request consideration of deferred action for childhood arrivals if you:

1. Were under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching your 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;
4. Were physically present in the United States on June 15, 2012, and at the time of making your request for consideration of deferred action with USCIS;
5. Entered without inspection before June 15, 2012, or your lawful immigration status expired as of June 15, 2012;
6. Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
7. Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

Age Requirements

Anyone requesting consideration for deferred action under this process must have been under 31 years old as of June 15, 2012. You must also be at least 15 years or older to request deferred action, unless you are currently in removal proceedings or have a final removal or voluntary departure order, as summarized in the table below:

What are the forms that I need to file?

You must submit at least the below forms and its supporting evidence

Form name
I-821D, Consideration of Deferred Action for Childhood Arrivals

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Form name
I-765, Application for Employment Authorization .
I-765WS, Worksheet

When should I file my application?

Each individual must make his/her own decision based on advice and information available. Since we do not know how the Congress and the President will act in the near future. If you think that you are qualified for DACA, you should strongly consider applying **for DACA as soon as possible**.

Where do I file my DACA Applications?

I live in ...	U.S.Postal Service	USPS Express Mail/Courier
Arizona, California	USCIS Phoenix Lockbox Facility USCIS P.O. Box20700 Phoenix, AZ 85036-0700	USCIS Phoenix Lockbox Facility USCIS Attn: DACA 1820 E. Skyharbor Circle S Suite 100 Phoenix, AZ 85034

Can I get a waiver for the filing fee?

Fee exemptions are available in very limited circumstances. In order to be considered for a fee exemption you must submit a letter and supporting documentation demonstrating that you meet one of the following conditions:

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- You are under 18 years of age, homeless, in foster care, or under 18 years of age and otherwise lacking any parental or other familial support and your income is less than 150% of the U.S. poverty level,
- You cannot care for yourself because you suffer from a serious chronic disability and your income is less than 150% of the U.S. poverty level, or
- You, at the time of the request, accumulated \$25,000 or more in debt in the past 12 months as the result of unreimbursed medical expenses for yourself or an immediate family member and your income is less than 150% of the U.S. poverty level.

A request for a fee exemption must be filed and favorably adjudicated before you file a request for consideration of deferred action for childhood arrivals without a fee. If you submit Forms I-821D, I-765 and I-765WS to a USCIS Lockbox facility without a fee and there is no record a fee exemption request has been approved, both forms will be rejected and returned to you.

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